

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

Re: D.I. 2178, 2293, 2367 & 2391

**CERTIFICATION OF COUNSEL SUBMITTING PROPOSED ORDER DENYING
ASSUMPTION AND ASSIGNMENT OF UNEXPIRED LEASE
(Store No. 1753)**

I, Michael Busenkell, Esq., of Gellert Seitz Busenkell & Brown, LLC, counsel to 1255 Sunrise Realty, LLC (“Landlord”), hereby certify as follows:

1. On March 5, 2025, the Debtors filed the *Notice of Filing of Eighteenth Post-Closing Designation Notice* (the “Designation Notice”) [D.I. 2178].
2. On March 19, 2025, Landlord filed the *Objection Of 1255 Sunrise Realty, LLC to Debtors' Proposed Assumption and Assignment of Its Unexpired Lease In Eighteenth Post-Closing Designation Notice* [D.I. 2178] (the “Objection”)², requesting that the Court deny Debtors’ proposed assumption and assignment of the Copiague Lease to the Forman Mills (the “Proposed Assignee”).

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

² Capitalized terms not defined herein shall have the meanings provided to them in the Objection.

3. The Court held an evidentiary hearing on the Designation Notice and Objection on April 2, 2025. At a hearing on April 3, 2025, the Court ruled on the Designation Notice and the Objection (the “Hearing”).

4. The proposed order, attached hereto as Exhibit A (the “Proposed Order”), reflects the Court’s ruling at the Hearing. Counsel for the Debtors and counsel for the Proposed Assignee have no objection to the form of the Proposed Order.

WHEREFORE, the undersigned respectfully requests that the Court enter the proposed order attached hereto as Exhibit A, without further notice or hearing.

Dated: April 7, 2025

GELLERT SEITZ BUSENKELL & BROWN, LLC

/s/ Michael Busenkell

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